

REMARKS

As a preliminary matter, Applicants' representative would like to thank the Examiner for courtesies extended in the personal interview conducted on June 15, 2005.

A signed Examiner's Interview Summary Record (PTOL-413) (submitted herewith for the record) was provided by the Examiner at the interview on June 15, 2005. Subsequently, the Examiner faxed a second, unsigned, Examiner's Interview Summary Record (PTOL-413) (submitted herewith for the record). Applicants submit that the second Examiner's Interview Summary Record (PTOL-413) included a Continuation Sheet, which included information that was not discussed during the personal interview conducted on June 15, 2005.

Specifically, Applicants submit that the Examiner's language "[h]owever, the reference of the prior art by Vazan clearly teach or suggest the correction memory (41) (Vazan, Col. 3, Line 57) (Fig. 3) set the rearranging the LEDs to make the characteristic values of adjacent LEDs substantially equal (See Vazan, Col. 4, Line 3) & (ABSTRACT)" was not even discussed during the personal interview, let alone agreed upon by Applicants' representative, and is merely the opinion of the Examiner.

Applicants' representative, after receiving the second Examiner's Interview Summary Record, conducted a telephonic interview with the Examiner on June 15, 2005. In the telephonic interview the Examiner indicated that he further considered the claimed invention in view of the Vazan reference and determined that Applicants arguments presented during the personal interview did not overcome the Examiner's rejection based on the Vazan reference. The Examiner further indicated that he prepared the second Examiner Interview Summary Record to summarize his conclusions.

Applicants submit that an Examiner's Interview Summary Record is meant to summarize the substance of an interview. That is, the Examiner's Interview Summary Record is meant to place on the record what occurred during an interview between Applicants (or Applicants' Representative) and the Examiner. The Examiner's Interview Summary Record is not meant, however, to summarize the Examiner's determinations of the interview made subsequent to the interview. Therefore, Applicants respectfully request that the second (unsigned) Examiner's Interview Summary Record be withdrawn from the record.

Applicants submit this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview (and in accordance with the signed Examiner's Interview Summary Record personally given to Applicants' Representative at the personal interview), the following was discussed:

A. Identification of claims discussed:

Claims 1, 5 and 16.

B. Identification of prior art discussed:

Vazan (U.S. Patent No. 6,7553,897).

C. Identification of principal proposed amendments:

None.

D. Brief Identification of principal arguments:

Applicants' representative respectfully pointed out that Vazan teaches normalizing the properties of the LEDs by using an offset value stored in a memory, so that the LEDs emit light uniformly. The current input to the LEDs is adjusted. The position of the LEDs, however, remains constant. That is, the position of the LEDs are not rearranged.

In contrast, in the claimed invention, the LEDs are not necessarily normalized. However, the LEDs may be arranged in a suitable manner based on the different properties of the LEDs. The physical position of the LEDs is adjusted or arranged.

That is, Vazan does not teach or suggest “*rearranging said LEDs to make said characteristic values of adjacent LEDs substantially equal*” (emphasis added by Applicants) as recited in claim 1 (and similarly recited in claims 5 and 16).

Vazan merely teaches “a first set of correction data to normalize the light output of each LED is determined and stored in a correction memory”(emphasis added by Applicants) (see Vazan at column 3, line 56). Again, Vazan merely teaches to normalize the light output of each LED. Vazan does not teach rearranging the LEDs.

E. Results of the Interview:

In response to the arguments presented, the Examiner indicated that he would further consider the claimed invention in view of the Vazan reference. Specifically, the Examiner indicated that he would review Vazan to determine if Vazan taught or suggested “*rearranging said LEDs to make said characteristic values of adjacent LEDs substantially equal*”.

F. Conclusion:


Applicants respectfully submit that Vazan does not teach or suggest each and every element of the claimed invention.

Thus, the Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

The Commissioner is hereby authorized to charge any fees or to credit any overpayment in fees to .

Respectfully Submitted,

Date: June 17, 2005



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254